

CHAPTER 8
INTERNAL CONDUCT OF EMPLOYEE ORGANIZATIONS

621—8.1(20) Registration report.

8.1(1) When filed. Before an employee organization may be certified as the exclusive representative of a bargaining unit, the employee organization shall have filed a registration report with the board.

8.1(2) Form and content. The registration report shall be in a form prescribed by the board. The registration report shall be accompanied by two copies of the employee organization's constitution and bylaws. A filing by a national or international of its constitution and bylaws shall be accepted in lieu of a filing of such documents by each subordinate organization, provided that such national or international constitution and bylaws conform to the requirements of the Act.

621—8.2(20) Annual report.

8.2(1) When filed. Before an employee organization may be certified as the exclusive representative of a bargaining unit, the employee organization shall have filed an annual report with the board. Such reports shall be filed within 90 days of the conclusion of each fiscal year of the employee organization. The first annual report filed by an employee organization may be filed concurrently with an election petition and shall reflect the last completed fiscal year of the organization or, in the case of a new organization, the last completed quarter or quarters of the current fiscal year.

8.2(2) Form and content. The annual report shall be in a form prescribed by the board and shall contain:

- a. The names, addresses and telephone numbers of the organization, any parent organization or organizations with which it is affiliated, the principal officers and all representatives.
- b. The name, address and telephone number of its local agent for service of process.
- c. A general description of the public employees the organization represents or seeks to represent.
- d. The amounts of the initiation fee and monthly dues members must pay.
- e. A pledge, in a form prescribed by the board, that the organization will comply with the laws of the state and that it will accept members without regard to age, race, sex, religion, national origin or physical disability, as provided by law.
- f. A financial report and audit. The financial report shall contain, at a minimum, the following information: cash balance from the previous year; a listing of sources and amounts of income; an identified listing of disbursements; and a closing balance. The audit shall consist of a statement that the financial report has been reviewed and found to be true and accurate. The audit must be signed by an auditing committee or a person or persons who hold no other office in the employee organization and who did not prepare the financial report.

621—8.3(20) Bonding requirements. Every person required by Iowa Code section 20.25(3) "c" to be bonded shall be bonded to provide protection against loss by reason of act of fraud or dishonesty on the part of such person, directly or through connivance with others. The bond of each such person shall be fixed at the beginning of the employee organization's fiscal year and shall be in an amount of not less than 10 percent of the funds handled by such person or their predecessor or predecessors, if any, during the preceding fiscal year, but in no case less than \$2,000 nor more than \$500,000. If the employee organization or the trust in which an employee organization is interested does not have a preceding fiscal year, the amount of the bond shall not be less than \$2,000. Such bonds shall have a corporate surety company as surety thereon. Any person who is not covered by such bonds shall not be permitted to receive, handle, disburse or otherwise exercise control of the funds or other property of an employee organization or of a trust in which an employee organization is interested. No such bond shall be placed through an agent or broker or with a surety company in which any employee organization or any offi-

cer, agent, shop steward or other representative of an employee organization has any direct or indirect interest.

621—8.4(20) Trusteeships.

8.4(1) *Establishment.* Trusteeships shall be established or administered by an organization over a subordinate employee organization only in accordance with the constitution and bylaws of the organization which has assumed trusteeship over the subordinate body and for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures or otherwise carrying out the legitimate objectives of the employee organization.

8.4(2) *Reports.* Every organization which assumes trusteeship over any subordinate employee organization shall file with the board within 30 days after the imposition of any such trusteeship, and semiannually thereafter, a report, signed by its president and treasurer or corresponding principal officers, as well as by the trustees of such subordinate employee organization, containing the following information:

- a. The name and address of the subordinate employee organization;
- b. The date of the establishment of the trusteeship;
- c. A detailed statement of the reason for the establishment or the continuation of the trusteeship; and
- d. The nature and extent of participation by the membership of the subordinate employee organization in the selection of delegates to represent such employee organization in regular or special conventions or other policy-determining bodies and in the election of officers of the organization which has assumed trusteeship over the employee organization.

The initial report of the establishment of the trusteeship shall include a full and complete account of the financial condition of the subordinate employee organization as of the time trusteeship was assumed over it.

8.4(3) *Continuing duty to report.* During the continuance of a trusteeship, the organization which has assumed trusteeship over a subordinate employee organization shall file on behalf of the subordinate employee organization all reports required by this chapter. Such reports shall be signed by the president and treasurer or corresponding principal officers of the organization which has assumed such trusteeship and the trustees of the subordinate employee organization.

621—8.5(20) Reports as public information. The contents of the reports required by this chapter shall be public information, and the board may publish any information and data which it obtains from such reports.

621—8.6(20) Filing of a complaint. A complaint that any employee organization has engaged in or is engaging in any practice which constitutes a violation of Iowa Code section 20.25 may be filed in writing with the board by any affected person. Upon receipt of a complaint, the board shall serve a copy upon the employee organization by certified mail, return receipt requested. The board shall conduct a preliminary investigation of the alleged violation. In conducting the investigation, the board may require the production of evidence, including affidavits and documents. If investigation shows the complaint has no basis in fact, the complaint shall be dismissed and the parties notified. If the investigation shows reasonable cause to believe a violation has occurred, the board shall notify the parties. If the parties are unable to agree on an informal settlement after notification of reasonable cause, the board shall schedule the complaint for hearing.

These rules are intended to implement Iowa Code chapter 20.

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